

A RESOLUTION

05- R -0691

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH CLAYTON COUNTY IN WHICH THE CITY OF ATLANTA WILL PAY CLAYTON COUNTY \$2,882,500.00 FOR THE DESIGN, RIGHT-OF-WAY ACQUISITION, UTILITY RELOCATION AND CONSTRUCTION OF THREE (3) ADDITIONAL ROADWAY LANES AND OTHER IMPROVEMENTS FOR THE WEST FAYETTEVILLE AND PHOENIX BOULEVARD/GODBY ROAD INTERSECTION AS RECOMMENDED IN THE FEDERAL AVIATION ADMINISTRATION'S ENVIRONMENTAL IMPACT STATEMENT FOR THE FIFTH RUNWAY, TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H31 574001 R21E052093CM (AIRPORT PASSENGER FACILITY CHARGE BOND FUND, FACILITIES OTHER THAN BUILDINGS, RUNWAY 10-28 (NON AMT)); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (hereinafter, the "City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport (the "Airport"), has undertaken a major expansion of the Airport to accommodate increasing air traffic at the Airport, including construction of a Fifth Runway; and

WHEREAS, in connection therewith, the Federal Aviation Administration (the "FAA") issued an Environmental Impact Statement ("EIS") for the Fifth Runway Project; and

WHEREAS, the FAA recommended in the EIS that three (3) additional roadway lanes be added to the intersection of West Fayetteville Road and Phoenix Boulevard/Godby Road (such construction of the additional lanes required by the FAA shall hereinafter be referred to as the "Improvements"); and

WHEREAS, pursuant to the EIS, the City is required to perform the Improvements; and

WHEREAS, to perform the Improvements, the City needs to design the Improvements, acquire rights-of-way for the Improvements, relocate utilities and construct the Improvements; and

WHEREAS, it has been determined that it is advantageous for the City and Clayton County that Clayton County perform the Improvements; and

WHEREAS, Clayton County has agreed to perform such Improvements in exchange for \$2,882,500.00; and

WHEREAS, upon completion of the Improvements, Clayton County will assume operation and maintenance responsibilities to the intersection of West Fayetteville Road and Phoenix Boulevard/Godby Road; and

WHEREAS, the completion of the Improvements by Clayton County will satisfy the City's obligations as stated in the EIS; and

WHEREAS, the City and Clayton County now desire to set forth their mutual understandings concerning the Improvements and payments therefor.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta an Intergovernmental Agreement with Clayton County in which the City will pay Clayton County \$2,882,500 for the design, right-of-way acquisition, utility relocation and construction of three (3) additional roadway lanes and other improvements for the West Fayetteville and Phoenix Boulevard/Godby Road intersection as recommended in the Federal Aviation Administration's Environmental Impact Statement for the Fifth Runway, to be charged to and paid from Fund Account Center No. 2H31 574001 R21E052093CM (Airport Passenger Facility Charge Bond Fund, Facilities Other Than Buildings, Runway 10-28 (Non AMT)).

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Intergovernmental Agreement for execution by the Mayor.

BE IT FINALLY RESOLVED that said Intergovernmental Agreement shall not become binding upon the City, and the City shall incur no obligation or liability thereunder, until the same has been signed by the Mayor and delivered to Clayton County.

Legislative White Paper

Committee of Purview:

Caption

Council Meeting Date: May 2, 2005

Legislation Title:

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Requesting Dept.: Aviation

Contract Type:

Source Selection:

Bids/Proposals Due:

Invitations Issued:

**Number of Bids/
Proposals Received:**

Bidders/Proponents:

Justification Statement: The FAA prepared an Environmental Impact Statement for the 9,000-foot fifth runway and issued a favorable Record of Decision (ROD) on September 27, 2001, environmentally approving the project. As part of federal approval, the ROD specifies that the City perform certain environmental mitigation measures. One of the measures is making roadway geometric improvements at the intersection of West Fayetteville Road and Godby Road. Traffic modeling performed for the EIS showed that as a result of area roadway changes needed to construct the runway, additional traffic would be relocated to this intersection, greatly degrading the level of service at the intersection, resulting in unacceptable motorist delay. To update the analysis performed in the EIS, DOA staff conducted a study to examine the improvements recommended in the EIS and develop a concept that meets the requirements.

Background:

This intergovernmental agreement sets the basic business terms of the conveyance of funds from the City to the County to effect the improvements to the referenced intersection. The following summarizes the fundamental business terms:

- Clayton County will receive funds in the amount of \$2,882,500 to accomplish the improvement project as referenced.
- Funding has been deemed sufficient for the design, right-of-way acquisition, utility relocation and construction of the project as agreed upon by City and County staffs.
- Operation and Maintenance of the intersection and related improvements will be borne by the County with no obligation on the part of the City.
- The County will begin the design process and subsequent project elements as quickly as practical upon receipt of the funds. This is evidenced by their desire to incorporate the intersection project into their existing Godby Road project.

Fund Account Center: 2H31 574001 R21E052093CM

Source of Funds: Passenger Facility Charges

Fiscal Impact:

Term of Contract:

Method of Cost Recovery:

Approvals:

DOF: Yes

DOL: Yes

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